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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/025,165      | 12/19/2001  | Jose L. Cervantes    | 10002896-1          | 6155             |

7590 10/04/2004  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

SURYAWANSHI, SURESH

ART UNIT PAPER NUMBER

2115

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/025,165

Applicant(s)

CERVANTES, JOSE L.

Examiner

Suresh K Suryawanshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/19/01.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-26 are presented for examination.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Atkinson (US Patent no 5,991,883).
4. As per claims 1, 11, 17 and 21, Atkinson teaches a computer system having a first power mode and a second power mode with determination whether the system is operating in a first power mode or a second power mode [col. 4, lines 53-57; col. 8, lines 35-36; in the first power mode, the system is powered by the battery and in the second power mode, the system is powered by an AC power]. A memory and a memory bus are inherent to the computer system [Fig. 1]. Atkinson clearly teaches to operate the memory bus at a first speed in the first power mode and a second speed different than the first speed in the second power mode [col. 4, lines 53-57; having a low performance video when the system is under battery power than when operating under AC power; col. 6, lines 39-43; running under a low performance video requires

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only 25% of the higher performance refresh power; col. 8, lines 60-67; the performance of the system is changed through the memory clock MCLK].

5. As per claims 2 and 24, Atkinson teaches that in the first power mode, the portable compute is operated via a battery power source, and in the second power mode the computer is operated via an external power source [col. 4, lines 53-57; col. 8, lines 35-36; in the first power mode, the system is powered by the battery and in the second power mode, the system is powered by an AC power].

6. As per claims 3, 4 and 12, Atkinson teaches that a power mode detector which detects whether the portable computer is in the first power mode or the second power mode [col. 4, lines 53-57; col. 8, lines 35-36].

7. As per claims 5 and 13, Atkinson teaches that the second bus speed is double the first bus speed [col. 9, lines 49-56].

8. As per claims 7 and 14, Atkinson teaches that a bus speed input for switching the portable computer between the first bus speed and the second bus speed [inherent to the system as switching from a low performance video to a high performance or vice versa].

9. As per claims 8 and 15, Atkinson teaches that the control system includes processor and a chipset [Fig. 1].

10. As per claims 9 and 16, Atkinson teaches that the memory bus is in communication with the chipset [Fig. 1].

11. As per claim 10, Atkinson teaches that an override switch coupled to the control system for switching the memory bus to the first speed or the second speed [inherent to the system as switching from a low performance to a high performance or vice versa].

12. As per claims 18 and 19, Atkinson teaches that the mobile computing device is a laptop computer [col. 1, lines 16-20].

13. As per claim 22, Atkinson teaches that controlling a clock generator to determine the memory bus speed [inherent to the system as to control the memory clock (MCLK) speed].

14. As per claim 23, Atkinson teaches that determining the memory bus speed independent of an internal processor bus speed [Fig. 1].

15. As per claim 25, Atkinson teaches a graphical user interface for use in a mobile computing device to set a first power mode selection and a second power mode selection [col. 4, line 53 – col. 5, line 2; a menu drive setup with a section available for the user to customize select power conservation settings].

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16. As per claim 26, Atkinson teaches that a user defined memory bus speed in the first power mode selection [col. 4, line 53 – col. 5, line 2; a menu drive setup with a section available for the user to customize select power conservation settings].

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claim20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Atkinson (US Patent no 5,991,883) in view of Croughwell (US Patent no 5,610,497).

19. As per claim 20, Atkinson discloses the invention substantially. Atkinson does not disclose about the use of an external battery instead of an AC power. However, the use of an external battery is well known in the art as disclosed by Croughwell [col. 22-29]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references as both are directed towards the power usage of battery. Moreover, an external battery will provide the benefit of having power to use the laptop in case there are none available power outlets.

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*Conclusion*


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suresh K Suryawanshi whose telephone number is 703-305-3990 (starting 10/18/04, please use 571-272-3668). The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 703-305-9717 (starting 10/18/04, please use 571-272-3667). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sks

September 30, 2004

  
THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100